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PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Dock t No.

L-1632CA

First Inventor

Valdemar Portnev

Title

Adj. IOL System and IOLs Therefor

Express Mail Label No.

ER310656236US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 35]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]

5. Oath or Declaration [Total Pages 3]

- a. ☒ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))  
b. ☐ (for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney  
11. ☐ English Translation Document (if applicable)  
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations  
13. ☐ Preliminary Amendment  
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  
17. ☐ Other: Transmittal Letter

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 10/306,352

Prior application information:

Examiner Unknown

Group Art Unit: 3736

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or

☒ Correspondence address below

Name

Howard R. Lambert

Address

5245 Gatewood Lane

City

Anaheim

State

CA

Zip Code

92807

Country

U.S.A.

Telephone

714-6375678

Fax

714-6375678

Name (Print/Type)

Howard R. Lambert

Registration No. (Attorney/Agent)

27,206

Signature

Howard R. Lambert

Date

11-24-2003

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PTO  
22390  
10/721155  
112503

22783 U.S. PTO  
112503

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 712

## Complete if Known

Application Number	Unknown
Filing Date	Unknown
First Named Inventor	Valdemar Portnev
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	L-1632CA

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

12-0432

Howard R. Lambert

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	\$385
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 385)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	Multiple Dependent					
42	6	-20** = 22	x 9 = 198			
		-3** = 3	x 43 = 129			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 327

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0

## SUBMITTED BY

Name (Print/Type) Howard R. Lambert

Registration No.  
(Attorney/Agent)

27,206

## Complete (if applicable)

Telephone 714-637-567

Signature

Howard R. Lambert

Date

11-24-2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney's Docket No. L-1632CA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box: 1450  
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor: Valdemar Portney

For: ADJUSTABLE INTRAOCULAR LENS SYSTEM AND INTRAOCULAR LENSES THEREFOR

1. Type of Application

This new application is for a(n)

- ☐ Original (non-provisional) utility
- ☐ Design
  - ☐ Plant
- ☐ Divisional.
- ☐ Continuation.
- ☒ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

- ☒ Provisional Application No. 60/480,446, filed June 21, 2003  
Application serial No. 10/306,352, filed November 27, 2002

3. Papers Enclosed That Are Required for Filing Date under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

23 Pages of specification

11 page of claims

1 Page of Abstract

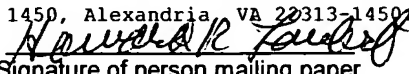
6 Sheets of drawing

☒ formal

☐ informal

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on November 25, 2003 in an envelope as Express Mail, Post Office to Addressee Mailing Label Number ER310656236US addressed to: Mail Stop: PATENT APPLICATION, Commissioner of Patents, P.O. Box: 1450, Alexandria, VA 22313-1450

  
Signature of person mailing paper

**4. Additional papers enclosed**

- ☐ Preliminary Amendment  
☐ Information Disclosure Statement (37 CFR 1.98)  
☐ Form PTO-1449  
☒ Form PTO/SB/81 Power of Attorney  
☒ Form PTO/SB/17 Fee Transmittal for FY 2002  
☒ Form PTO/SB/05 Utility Patent Application Transmittal  
☐ Form PTO/SB/35 Nonpublication Request

**5. Declaration or oath:**

- ☒ Form PTO/SB/01 Inventor Valdemar Portney  
☐ Legal representative of inventor(s). 37 CFR 1.42 or 1.43.  
☐ Not Enclosed.

**6. Assignment:**

- ☒ No assignment of the invention  
☐ Is attached.  
☐ Will follow.

**7. Fee Calculation (37 CFR 1.16)**

## CLAIMS AS FILED

	Number filed	Number extra	Rate (Small Entity)	Basic Fee 37 CFR 1.16(b) \$385.00
Total Claims (37 CFR 1.16(c))	42 - 20	22 x	\$ 9.00 =	\$198.00
Independent Claims (37 CFR 1.16(b))	6- 3 =	3 x	\$ 43.00=	\$129.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))		-	\$135.00=	\$ 0.00

- ☐ Amendment canceling extra claims enclosed.  
☐ Amendment deleting multidependencies enclosed.  
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation

\$ 712.00

**8. Small Entity Statement(s):**

- ☒ Applicant asserts that Application is entitled to Small Entity status.  
☐ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9c is attached.  
☐ Status as a small entity was claimed in prior application serial No. \_\_\_\_\_, filed on \_\_\_\_\_ from which benefit is being claimed for this application under:  
 35 U.S.C. ☐ 119(e),

☐ 120,

☐ 121,

☐ 365(c),

and which status as a small entity is still proper and desired.

☐ A copy of the verified statement in the prior application is included.

**9. Request for International-Type Search (37 CFR 1.104(d)):**

- ☐ ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**10. Fee Payment Being Made at This Time:**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time.
- ☒ Enclosed
- |   |                  |
|---|------------------|
| <input checked="" type="checkbox"/> Basic filing fee  | \$ 712.00        |
| <input type="checkbox"/> Recording assignment<br>(\$ 40.00; 37 CFR 1.21(h))<br>(See attached cover sheet for<br>"ASSIGNMENT ACCOMPANYING NEW APPLICATION".) | \$               |
| <input type="checkbox"/> For processing an application with a<br>specification in a non-English language.<br>(\$130.00; 37 CFR 1.52(d) and 1.17(k))         | \$ _____         |
| <input type="checkbox"/> Processing and retention fee<br>(\$130.00; 37 CFR 1.53(d) and 1.21(l))   | \$ _____         |
| <input type="checkbox"/> Fee for international-type search report<br>(\$40.00; 37 CFR 1.21(e))  | \$ _____         |
| <b>TOTAL FEES ENCLOSED</b>  | <b>\$ 712.00</b> |

**11. Method of Payment of Fees**

- ☒ Check number 4270 in the amount of \$ 712.00  
☐ Charge Account No. 12-0432 in the amount of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

**15. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees for this paper and during the entire pendency of this application to Account No. 12-0432.
- ☐ 37 CFR 1.16(a), (f) or (g) (filing fees)  
☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)  
☐ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)  
☐ 37 CFR 1.17 (application processing fees)

**16. Instructions as to Overpayment:**

- ☒ Credit Account No. 12-0432  
☐ Refund



**SIGNATURE OF ATTORNEY**

Howard R. Lambent, Reg. No. 27,206  
Attorney for Applicant  
5245 Gatewood Lane  
Anaheim CA 92807